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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,869	11/12/2003	Keiichi Iwamura	CFA00018US	8628

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CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION
15975 ALTON PARKWAY
IRVINE, CA 92618-3731

EXAMINER

KANE, CORDELIA P

ART UNIT	PAPER NUMBER
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2132

MAIL DATE	DELIVERY MODE
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08/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/712,869	Applicant(s) IWAMURA, KEIICHI	
	Examiner Cordelia Kane	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-9,12,14,15 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-9,12,14,15,18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed June 1, 2007 have been fully considered but they are not persuasive. Bisbee teaches all the elements of the claims. Bisbee teaches and suggests generating modification information for modifying original data, creating modification assuring information (column 14, lines 5-9) and outputting the original data, that data assuring information, the modification information and the modification assuring information (column 6, lines 57-59). The creating the modification assuring information is done as the modified document is loaded into the TCU. The transfer agent performs all of the checks on the modified document that was performed on the original document (column 13, lines 31-53). Then the modified document becomes an e-original (column 14, line 8). Outputting all of this data is done when the TCU exports the validated e-originals (both original and modified) which inherently include the assuring data.

2. Applicant argues that the limitations of claims 12 and 20 are not met in Bisbee. Applicant cites column 6, lines 25-55. The portion of Bisbee that the applicant cites is teaching revalidating an e-original. Applicant argues that nowhere does Bisbee teach the feature of verifying that the modification information is assured as being true. In column 14, lines 5-9 it is explained that an original document can be checked by an authorized user, modified and then re-loaded back into the TCU. When the document is reloaded into the TCU all of the steps of an original e-original are taken. Therefore the modified document is verified to be a true.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by

Bisbee. Referring to claims 1, 18 and 22, Bisbee teaches:

- a. Inputting means for inputting the original data and original data assuring information (column 11, lines 43-44).
- b. Modification means for generating modification information to be able to modify the original data; storing means for storing the modification information (column 14, lines 5-9).
- c. Modification assuring information creating means for assuring that modification information is true (column 14, line 8). E-original includes a digital signature and certificate (column 13, line 50).
- d. Outputting means for outputting the original data, the original data assuring information, the modification information, and the modification assuring information (column 6, lines 57-59).

5. Referring to claims 2 and 19, Bisbee teaches determining means for determining whether the modification information is valid, then creating means creates the modification assuring information (column 13, lines 42-50).
6. Referring to claims 5 and 21, Bisbee teaches that the assuring information is a digital signature (column 13, line 50).
7. Referring to claim 6, Bisbee teaches that the modification information includes information for identifying the original data, and the modification process performed when the original data was modified (column 17, lines 14-20).
8. Referring to claim 7, Bisbee teaches that the modification information includes the original data and difference information between the original data and modified data with respect to the original data (column 19, lines 18-20).
9. Referring to claim 8, Bisbee teaches that the determination by the determining means is performed using pre-set access permission (column 16, lines 25-28). Using the public key to verify TCU's digital signature indicates pre-set access permission since only private key that associates with the public key can decrypt the TCU's digital signature.
10. Referring to claim 9, Bisbee teaches that the determining means is performed using public key of the author of the original data (column 16, lines 25-28).
11. Referring to claims 12 and 20, Bisbee teaches:
 - e. Inputting means for inputting the original data, original data assuring information (column 11, lines 43-44), modification information, and modification

assuring information (column 14, lines 5-9). E-original includes a digital signature and certificate (column 13, line 50).

f. Original data verifying means for verifying the original data assuring information (column 16, lines 35-40).

g. Modification information verifying means to verify that the modification is verified of being true (column 14, line 8). E-original includes a digital signature and a certificate (column 13, line 50).

h. Modifying means for modifying the original data (column 14, lines 5-9).

12. Referring to claim 14, Bisbee teaches that the original data verifying means verifies a digital signature for the original data and the modification-information verifying means verifies a digital signature for the modification (column 16, lines 25-28).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
15. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bisbee as applied to claim 1 above, and further in view of Ginter et al (US Pat No. 5982891), hereafter "Ginter".
16. Bisbee discloses an information processing apparatus that manages the original data assuring information, the modification information, and the modification assuring information (column 13, lines 46-50) over a network (column 11, lines 26 and 44-45).
17. However Bisbee does not disclose a server that is connected with the information processing apparatus over a network wherein the server receives and manages the original-data assuring information, the modification information and the modification assuring information.
18. Ginter on the other hand discloses a server (col. 17, lines 60-63) that is connected with the information processing apparatus over a network wherein the server receives and manages the original-data assuring information, the modification information and the modification assuring information.
19. It would have been obvious to one of the ordinary skill in the art at that time of the applicant's invention was made to modify the method of Bisbee such that to incorporate a server that is connect with the information processing apparatus over a network, as taught by Ginter to provide a new kind of "virtual distribution environment" or VDE to secures, administer, and audit electronic information that travel across the information highway (col. 2, lines 22-27).

Conclusion

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cordelia Kane whose telephone number is 571-272-7771. The examiner can normally be reached on Monday - Thursday 8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2132

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cordelia Kane
Patent Examiner
Art Unit 2132


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100